

DA/0785

PATENT #12  
Attorney Docket No. 26704.7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Jeffery Mark Zucker, et al.  
  
Serial No.: 09/100,671  
  
Filed: June 19, 1998  
  
For: THIRD PARTY PRIVACY SYSTEM

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Group Art Unit: 2785  
  
Examiner: N/A

Commissioner for Patents  
Washington, D.C. 20231

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SEP 29 2000

OFFICE OF PETITIONS

TRANSMITTAL

Dear Sir:

Enclosed for filing are the following regarding the above-identified patent:

1. Response to Refusal of Petition of Filing Under 37 C.F.R. § 1.47(a) with attachment(s);
2. Return postcard.

The Commissioner is hereby authorized to charge payment of any fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394.

Respectfully submitted,

Ruben C. DeLeon  
Registration No. 37,812

Date: 9/11/00

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Phone: (214) 651.5544  
Fax: (214) 651.5940  
File: 26704.7  
d-503777.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231.  
on September 11, 2000  
Audra Bennett



PATENT  
Attorney Docket No. 26704.7

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO REFUSAL OF PETITION OF FILING UNDER 37 C.F.R. § 1.47(a)**

Dear Sir:

This letter is in response to the Decision Refusing Status Under 37 C.F.R. § 1.47(a) mailed to the attorney of record for Douglas L. Peckover and Ralph Spencer Poore ("Applicants") on July 10, 2000. In the refusal to grant the petition, the Petitions Attorney stated that the Applicants must provide proof that the non-signing inventor, Jeffrey Mark Zucker, refuses to sign the declaration after having been presented with the application papers. The Petitions Attorney noted that the Applicants did not provide proof in the original petition that Jeffrey Mark Zucker was sent a copy of the above referenced patent application. A copy of the cover letter transmitting the patent applicant materials is enclosed. Affidavits of Mr. Zucker's continuing refusal to sign the Declaration are also enclosed.

Based upon the foregoing, Applicants respectfully submit that they are entitled to clear title to the invention and to the above-identified patent application and to any patent that issues thereon.

Respectfully submitted,

Ruben C. DeLeon

Registration No. 37,812

Date: 9/11/00

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 214/651-5544  
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File: 26704.7  
D-812330.1

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on September 11, 2000

Audra Bennett

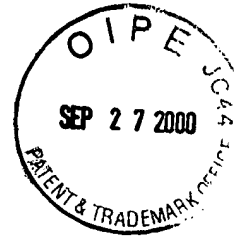
EL 417818571US

HAYNES AND BOONE, LLP

July 24, 2000

**Via Express Mail**  
**Return Receipt Requested**

Mr. Jeffrey Zucker  
6036 Thursby  
Dallas, TX 75248



h b  
Re: U.S. Patent Application  
Serial No.: 09/100,671 Filed: June 19, 1998  
Entitled: THIRD PARTY PRIVACY SYSTEM  
Our ref.: 26704.7

Dear Mr. Zucker:

As you know, the above-identified patent application became abandoned for failure to timely file the executed Declaration. Therefore, enclosed is a copy of the above-identified patent application for your review and the Declaration which must be executed and returned to me for filing. Also enclosed is a self-addressed stamped envelope for your convenience.

If you we do not receive the executed Declaration by August 11, 2000, we will treat your non-answer as a refusal to sign the Declaration, and we will proceed accordingly.

Very truly yours,

Raulen C. DeLeon  
Direct Phone Number: 214/651-5544  
Direct Fax Number: 214/200-0754  
[deleonr@haynesboone.com](mailto:deleonr@haynesboone.com)

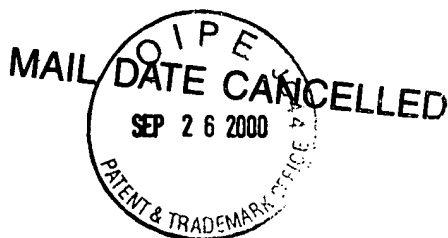
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Enclosures  
D-803527.1

cc: Wilson Chu

Attorneys

901 Main Street Suite 3100 Dallas, Texas 75202-3789  
Telephone [214] 651.5000 Fax [214] 651.5940 <http://www.haynesboone.com>

AUSTIN DALLAS FORT WORTH HOUSTON RICHARDSON SAN ANTONIO WASHINGTON, D.C. MEXICO CITY



<b>SENDER:</b> <ul style="list-style-type: none"><li>• Complete items 1 and/or 2 for additional services.</li><li>• Complete items 3, and 4a &amp; b.</li><li>• Print your name and address on the reverse of this form so that we can return this card to you.</li><li>• Attach this form to the front of the mailpiece, or on the back if space does not permit.</li><li>• Write "Return Receipt Requested" on the mailpiece below the article number.</li><li>• The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.</li></ul>		<b>also wish to receive the following services (for an extra fee):</b> 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
<b>3. Article Addressed to:</b> Jeffrey Zucker 6036 Thursby Dallas, TX 75248		<b>4a. Article Number:</b> EL417818571US	
		<b>4b. Service Type:</b> <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
<b>5. Signature (Addressee)</b> <i>Victorine Z...</i>		<b>7. Date of Delivery</b> 7-25-00	
<b>6. Signature (Agent)</b>		<b>8. Addressee's Address (Only if requested and fee is paid)</b>	

PS Form 3811, November 1990 U.S. GPO: 1991-287-066

**DOMESTIC RETURN RECEIPT**



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Examiner: N/A


**AFFIDAVIT OF APRIL REASONER**

Commissioner for Patents  
Washington, DC 20231

My name is April Reasoner. I am employed by Haynes and Boone, LLP, as a legal secretary. I have personal knowledge of the facts stated herein and they are true and correct.

On July 24, 2000, I sent a letter to Jeffrey M. Zucker enclosing a copy of the above patent application and a Declaration and Power of Attorney for his signature. This letter was sent by express mail return receipt requested. The letter also stated that if we did not receive the executed Declaration by August 11, 2000, then we would treat his non-answer as a refusal to sign the Declaration.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
April Reasoner

Date: 9/11/00